INVESTIGATIVE SUMMARY

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USE OF FORCE - TASER
IAB CASE NUMBER FO2227480
URN NUMBER 408-20488-2199-151

On September 8, 2008, at approximately 0802 hours, Century Station deputies were involved in a use of force while trying to pat down and subsequently arrest Suspect Dwight Tatum. It was later discovered that Suspect Tatum had sustained a fractured left orbital.

Deputies Partida and [redacted] were working Century Station 213A, Day Shift. They received a radio call regarding a burglary report in the Firestone Park area and began responding. While driving north on Avalon Boulevard to their call, the deputies observed Suspect Tatum standing in front of [redacted] Avalon Blvd along with Suspects [redacted] and Deanne Stapleton. They noticed Suspect Tatum was dressed in a heavy sweatshirt with the hood over his face and head, and his right hand underneath the sweatshirt. As they drove closer, they saw Suspect Tatum look in their direction, quickly turn away from them, and move back behind Suspect [redacted] and Stapleton. Believing Suspect Tatum was possibly armed because of these actions, the deputies stopped and contacted him.

Deputy Partida contacted Suspect Tatum and, for his safety, attempted to conduct a pat down search for weapons. As he began the pat down search, Suspect Tatum quickly pulled away while simultaneously swinging his right arm in Deputy Partida's direction, but missing him. Suspect Tatum tried to run from the deputies, however, Deputy Partida grabbed him and effected a takedown, as he did so a handgun fell from Suspect Tatum's waistband. Deputy Partida and Suspect Tatum fell to the ground in front of the patrol car and the gun landed under the car behind the driver side front tire. Deputy [redacted] broadcasted they were involved in a fight. Suspect Tatum started struggling moving farther underneath the patrol car and closer to his handgun. Suspect Tatum reached for the gun and ignored orders to stop fighting and to put his hands behind his back. In an attempt to stop Suspect Tatum from reaching for his handgun, Deputy Partida struck him approximately eight to ten times about the face. Other persons started to gather on the street and sidewalk with Suspect [redacted] and Stapleton.

While Deputy Partida and Suspect Tatum were struggling, Deputy [redacted] attempted to aid his partner but was interrupted when Suspect Stapleton and [redacted] began interfering. Suspects Stapleton and [redacted] were yelling at them as they approached the deputies. They both ignored orders to get back and remain on the sidewalk. Deputy [redacted] felt one of them tug on his shirt collar. At this time Deputy [redacted] removed his OC spray and sprayed Suspect [redacted] face, with over spray hitting Suspect Stapleton.

The struggle with all three suspects continued. During the continuing struggle, Deputies [redacted] and Sergeant Serpa arrived. Deputy [redacted] saw Suspect Tatum reaching for the gun that had fallen on the ground and kicked him on the hand and shoulder several times in an attempt to keep him from grabbing the gun. As Sergeant Serpa and Deputy [redacted] approached, Sergeant Serpa directed Deputy [redacted] to Tase Suspect Tatum. Deputy [redacted] fired the Taser, but the darts only penetrated the sweatshirt. He then removed the cartridges and deployed contact shots with the Taser on Suspect Tatum's buttocks area and legs. The deputies were then able to handcuff Suspect Tatum and subsequently, arrest Suspects Stapleton and [redacted]

Suspect Tatum was transported to Harbor General/UCLA Hospital where he was treated by Doctor James Price. Doctor Price determined that Suspect Tatum had sustained a fractured left orbital.

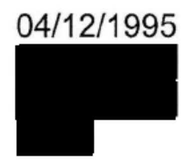
The following summary of this incident is based on information obtained from reports, involved deputies and witness interviews, along with other documents regarding Century Station file number 408-20488-2199-151 (**Exhibits A through E**).

INVOLVED PERSONNEL

PARTIDA, Pablo, Deputy Sheriff, [redacted]
Field Operations Region II
Century Station

Work History

Date of Employment	04/12/1995
Date Assigned to Patrol	[redacted]
Date Completed Patrol Training	
Prior Founded Force Incidents	



[redacted] Deputy Sheriff, #[redacted]
Field Operations Region II
Century Station

Work History

Date of Employment	[redacted]
Date Assigned to Patrol	
Date Completed Patrol Training	
Prior Founded Force Incidents	



[redacted] Deputy Sheriff, #[redacted]
Field Operations Region II
Century Station

Work History

Date of Employment
Date Assigned to Patrol
Date Completed Patrol Training
Prior Founded Force Incidents

[redacted]

[redacted], Deputy Sheriff, # [redacted]
Field Operations Region II
Century Station

Work History

Date of Employment
Date Assigned to Patrol
Date Completed Patrol Training
Prior Founded Force Incidents



[redacted]

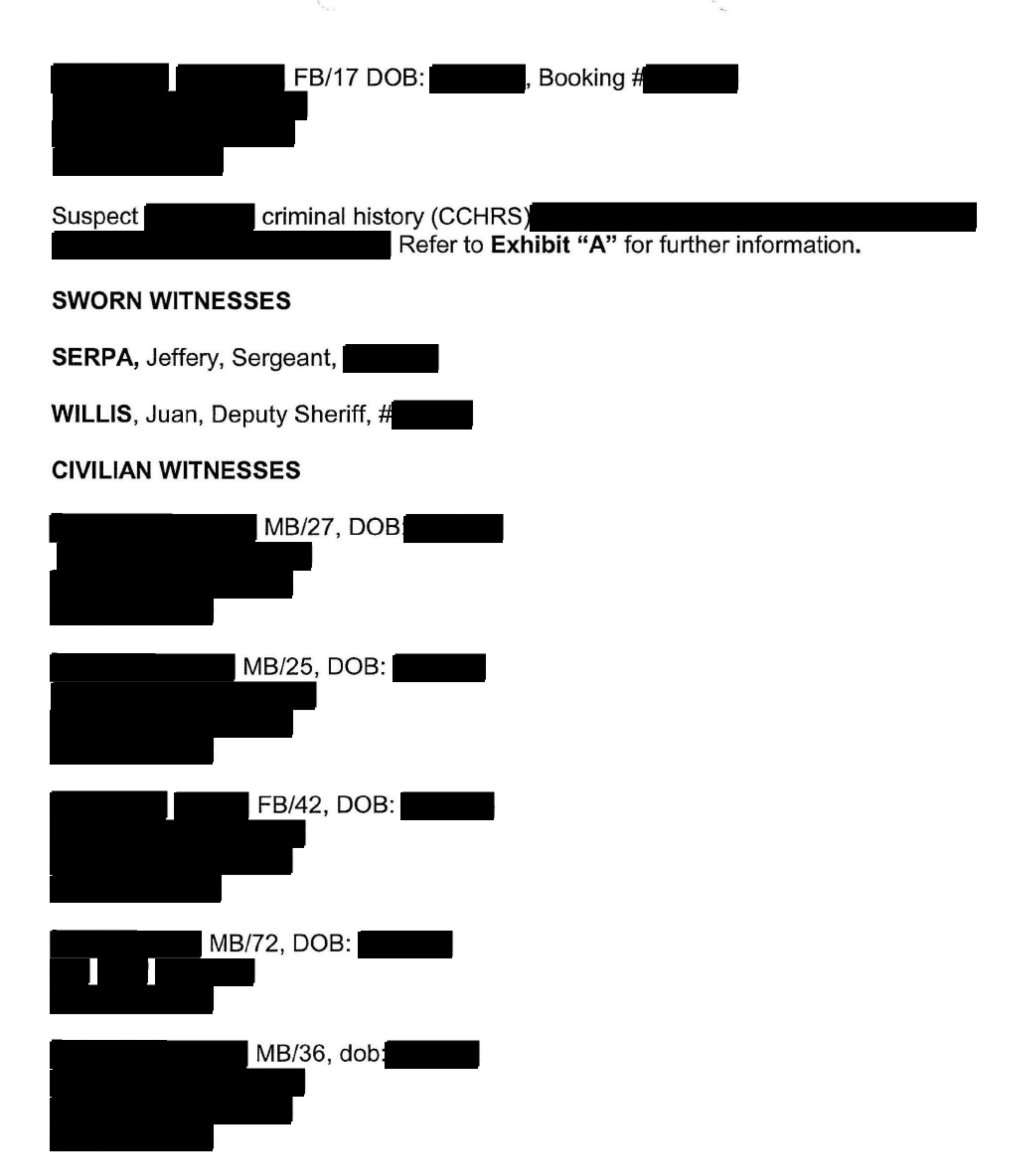
SUSPECTS

TATUM, Dwight, MB/26, DOB: 07/07/82, Booking #1616598
[redacted]

Suspect Tatum's criminal history (CCHRS) [redacted] Refer to **Exhibit "A"** for further information.

STAPLETON, Deanne, FB/39 DOB: 06/20/69, Booking #1616233
[redacted]

Suspect Stapleton's criminal history (CCHRS) [redacted] Refer to **Exhibit "A"** for further information.



[redacted] FB/17 DOB: [redacted], Booking #[redacted]
[redacted]

Suspect [redacted] criminal history (CCHRS) [redacted] Refer to **Exhibit "A"** for further information.

SWORN WITNESSES

SERPA, Jeffery, Sergeant, [redacted]

WILLIS, Juan, Deputy Sheriff, #[redacted]

CIVILIAN WITNESSES

[redacted] MB/27, DOB: [redacted]
[redacted]

[redacted] MB/25, DOB: [redacted]
[redacted]

[redacted] FB/42, DOB: [redacted]
[redacted]

[redacted] MB/72, DOB: [redacted]
[redacted]

[redacted] MB/36, dob: [redacted]
[redacted]

INJURIES

Suspect Tatum suffered a "fractured left orbital" after he was taken down to the ground and punched on the face approximately eight times. Suspect Tatum was given an "Okay" to book and was released from UCLA Harbor General emergency room by Doctor James Price on 09/08/08.

PHYSICAL EVIDENCE

One "Davis Industries" loaded P380 semi automatic pistol with three live rounds.

INVESTIGATOR OBSERVATIONS

IAB Investigator reviewed daytime photographs, radio transmissions, and interviews conducted at the scene by Sergeants Tina Jones and Eric Strong.

Radio transmissions revealed the following:

At 0806 Hours:	Unit 213A, Deputy [redacted] advised deputies were in a fight at 104th and Avalon. 214S (Sgt Serpa), 217B (Deputies [redacted] and Willis), 212N (Deputy [redacted] responded code-3. Aero advised an ETA of three minutes.
At 0808 Hours:	Deputy [redacted] advised they were still in a fight.
At 0809 Hours:	Deputy [redacted] requested three units code-3.
At 0810 Hours:	214S and units arrived at the scene.
At 0811 Hours:	Aero arrived overhead.
At 0812 Hours:	Aero advised sufficient units were at the scene and canceled any further units to respond. 214S requested rescue to respond.
At 0813 Hours:	214S advised Code-4.

IAB Note: See Exhibit "D" for compact disks containing radio traffic, pictures of the crime scene, and video taped interviews of witnesses of the force.

WEAPONS USED BY DEPUTY PERSONNEL

Deputy Partida: Takedown, Fist.

Deputy [redacted] Control Hold, OC Spray, Handcuffing.

Deputy [redacted] Foot (kicks), Handcuffing, Hobble.

Deputy [redacted] Control Hold, Taser.

WEAPONS USED BY THE SUSPECTS

Uncooperative and Resistive

PROPERTY DAMAGE

None.

CRIMINAL INVESTIGATOR/CHARGES FILED

Century Station Detective [redacted] filed one count each of 12021 (a)(1) P.C., 12031(a)(1) P.C., 12031 (a)(1) (not registered), and two counts of 69 P.C. on Suspect Tatum at Compton Superior under case number, TA099605.

Also, two counts of 148(a)(1) P.C. and one count of 243(b) P.C. was filed on Suspect Stapleton under case number 8CP08375. Suspect Stapleton pled no contest to one count of 243(b) P.C. and received 120 days jail and 36 months probation.

A Juvenile Detained Petition filed against Suspect [redacted].

LIGHTING AND WEATHER CONDITIONS

The incident occurred during daytime hours. The weather condition was clear and warm.

INVOLVED EMPLOYEE STATEMENTS

PARTIDA, Pablo

Deputy Partida was interviewed on Monday, September 08, 2008, at approximately 1413 hours by Internal Affairs Bureau Sergeants David Bly and Carlos Flores at Century Station. The interview was tape recorded. The following is a summary of that interview.

Deputy Partida said he was working unit 213A with his partner, Deputy [redacted] when they were driving northbound on Avalon Blvd to a report call near 96th and Alameda. He said he was driving and slowing down for a red light at 104th Street, when he saw Suspects [redacted] and Stapleton standing just outside a wrought gate, in front of [redacted] Avalon Blvd. He then saw Suspect Tatum walking out from behind Suspect [redacted] and Stapleton, walking southbound on Avalon Blvd. He said Suspect Tatum was wearing a black hooded sweatshirt, with his face down and the hood over his head and face. He said Suspect Tatum was walking on the sidewalk with right hand up inside his sweatshirt when he looked up. Suspect Tatum and Deputy Partida looked directly at each other. Deputy Partida said "it seemed like he had,,,,there was a bulge there" where Suspect right hand was concealed."

Deputy Partida said when their eyes met, "What, what catches my attention is that he...it was somewhat warm outside and he had a thick sweater. The way he had his hooded sweatshirt over his face. He had his, his right hand up in, inside the sweater, and it seemed like he had...there was a bulge there. It was obvious. And when he looked up towards us, as we're slowing down, he immediately had a startled look on his face. His eyes opened up, and he, he makes a quick U-turn or turns to his right and goes back to the front. He took maybe three steps out and then took another three steps back in to the front of the gate in between the two females. I immediately stopped, thinking, you know, he has a weapon in his, or firearm in his waistband that he's concealing. We get off the vehicle. Walk up to the sidewalk and call him over. He complies. And as I approach him, I, I...it's obvious he looks like a gang member." He said he and Deputy [redacted] did not have a conversation about contacting Suspect Tatum, but they both knew what they were going to do when they exited the patrol car.

Deputy Partida said Suspects [redacted] and Stapleton said, "What are you doing, why, why are you even talking to him." He said he did not answer them and contacted Suspect Tatum. He said Suspect Tatum did not say anything to him. Deputy Partida said based on Suspect Tatum's actions, the apparent bulge where his right hand was concealed, and that he appeared to be a gang member, he decided to conduct a weapons pat-down search of him.

Deputy Partida said as he reached out to touch Suspect Tatum's arm to guide him toward the patrol car, Suspect Tatum swung up, over, and back with his right arm toward him and started to flee from him. Deputy Partida said, "So I was gonna conduct a quick pat-down for weapons. When I, when I reach over and touch his, his arm, he, with his right arm, he swings over in my direction and, and just misses me over my face area. And he takes maybe about three or four steps and starts trying to flee from me."

Deputy Partida said he reached out with his right hand and grabbed a hold of Suspect Tatum's sweatshirt. He said he wrapped his forearm around the front of his neck/upper chest and they fell onto the street in front of the patrol car. Deputy Partida stated Suspect Tatum dropped a handgun on the street. He said, "He, we fall. And as we fall, he, he drops, he drops a handgun right under our front, right, right inside our front driver's tire. And we were right in front of the bumper. Where the bumper curves out. So in front of his face is, on the front portion of the fender, and his body is on the front, maybe the front of the crash bars. So, so we're somewhat at an angle. So I immediately see the, the handgun."

Deputy Partida said he yelled at Deputy [redacted] Suspect Tatum was "417." He said he heard Deputy [redacted] broadcast they were involved in a fight. He said Suspect Tatum's body was at an angle with the bumper of the patrol car, with his upper body just under the bumper with his feet pointed out in a northeasterly direction. He said he was on top of Suspect Tatum's upper body angled off with his feet in a northwest direction. He said Deputy [redacted] was standing over Suspect Tatum trying to control his hip area.

IAB Note: See Exhibit "C" for a diagram drawn by Deputy Partida.

Deputy Partida said he could see Suspect Tatum's gun which was approximately six inches from the Suspect's right hand. He said Suspects [redacted] and Stapleton started yelling "leave him alone, what are you doing, leave him alone" and Suspect Tatum started moving his body. He said, "And, and he starts, he starts squirming, moving his hips side to side. Moving his shoulders. I'm, I'm trying to hold his left, his left arm with my left elbow, and then keeping, keeping that right hand that he's, that he had next to the gun down on the ground. And I'm, at this time I'm...my concern is my partner and the people coming up behind us." Deputy Partida told Deputy [redacted] to "deal with" Suspect [redacted] and Stapleton.

Deputy Partida said he order Suspect Tatum to give him his hands four or five times. He said he could feel Suspect Tatum moving closer to the handgun. Deputy Partida said he was concerned about the Suspect's gun and he punched the Suspect's face 8 to 10 times with his right fist. He said, "And I'm giving orders to the suspect to give me his hands. I, I told him give me your hands, give me your hands. Maybe about four to five times. And I could feel him moving, moving his hand closer and closer to, to the handgun. So I, I put my left hand over it (Suspect's hand) to secure it, and I punched

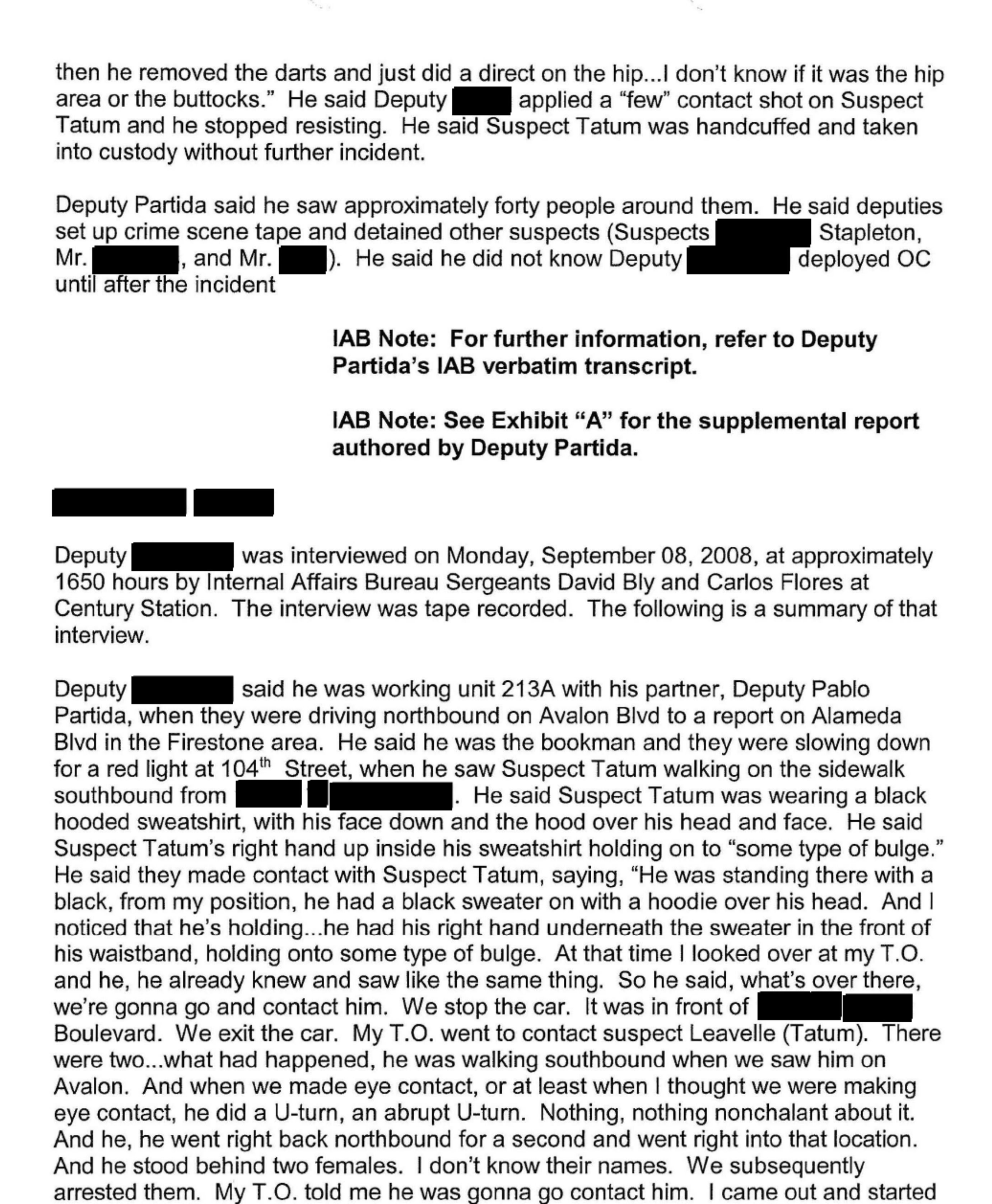
three or four times to, to give me his hands and stop. Didn't comply. Continued to ignore my commands and I punched him an additional four, four to five times." Deputy Partida said he heard Deputy [redacted] ordering people to stay back.

Deputy Partida said he heard a female screaming and Deputy [redacted] ordering her to "get away from here, get over there, stand on the sidewalk." He said at this time Suspect Tatum was on his stomach and he started to raise his left shoulder up. Deputy Partida said he thought Suspect Tatum was starting to get off the ground and his right hand was still out near the handgun. Deputy Partida said he moved his elbow over Suspect Tatum's face to hold him in place at the same time trying to pull him away from the handgun. Deputy Partida saw a soda can in the air moving over and pass his head and two males approaching them taking pictures. He said, "Still, and he's still squirming. By this time, I, I see the...a soda can kind of reach over our head and then fall on the ground. I see that. There was numerous cars honking. And then two individuals came up over on the street side, right, just directly west of me. From the street. And they're, they're directly west. And they're screaming, leave him alone, leave him alone. What are you doing? I, I gave them numerous orders. Hey..go, go stand over on the sidewalk. You know. They ignored my commands. And then they started taking pictures with their, their cell phone. So by this time, I don't know if they have any weapons, and I have my back towards them. So now my concern is, we're probably gonna...they're probably gonna lynch this guy."

Deputy Partida said he continued to control Suspect Tatum with his elbow in his face and holding down Suspect Tatum's right hand down on the ground. He said the two males continued to take pictures, but subsequently left before Deputies [redacted] and [redacted] arrived.

Deputy Partida said he was on the ground with Suspect Tatum for over four minutes before Deputies [redacted] and [redacted] arrived. He said he told Deputies [redacted] and [redacted] there was a gun on the ground and to recover it. He said Suspect Tatum was still on his right side and Deputy [redacted] kicked Suspect Tatum's right hand away from the handgun. He said Suspect Tatum moved his right hand back toward the handgun and he saw Deputy [redacted] kick Suspect Tatum's right shoulder twice. Suspect Tatum continued to move and Deputy Partida said Suspect Tatum reached toward the handgun. He said he saw Deputy [redacted] kick Suspect Tatum's shoulder one more time. Suspect Tatum moved his hand away from the handgun and Deputy [redacted] recovered the gun from the ground.

Deputy Partida said Suspect Tatum was trying to get up off the ground and Deputy [redacted] Tased Suspect Tatum. Deputy Partida said, "By this time he's trying to get up and still squirming. Moving his shoulders, his hips. And Sergeant Serpa ordered [redacted] to, to, to zap him with the M-26. So that's...and that's what he did. And then he still wouldn't comply. The darts, they...the darts didn't go in. But he wasn't complying. So then he removed the darts and just did a direct on the hip...I don't know if it was the hip area or the buttocks." He said Deputy [redacted] applied a "few" contact shot on Suspect Tatum and he stopped resisting. He said Suspect Tatum was handcuffed and taken



then he removed the darts and just did a direct on the hip...I don't know if it was the hip area or the buttocks." He said Deputy [redacted] applied a "few" contact shot on Suspect Tatum and he stopped resisting. He said Suspect Tatum was handcuffed and taken into custody without further incident.

Deputy Partida said he saw approximately forty people around them. He said deputies set up crime scene tape and detained other suspects (Suspects [redacted] Stapleton, Mr. [redacted], and Mr. [redacted]). He said he did not know Deputy [redacted] deployed OC until after the incident

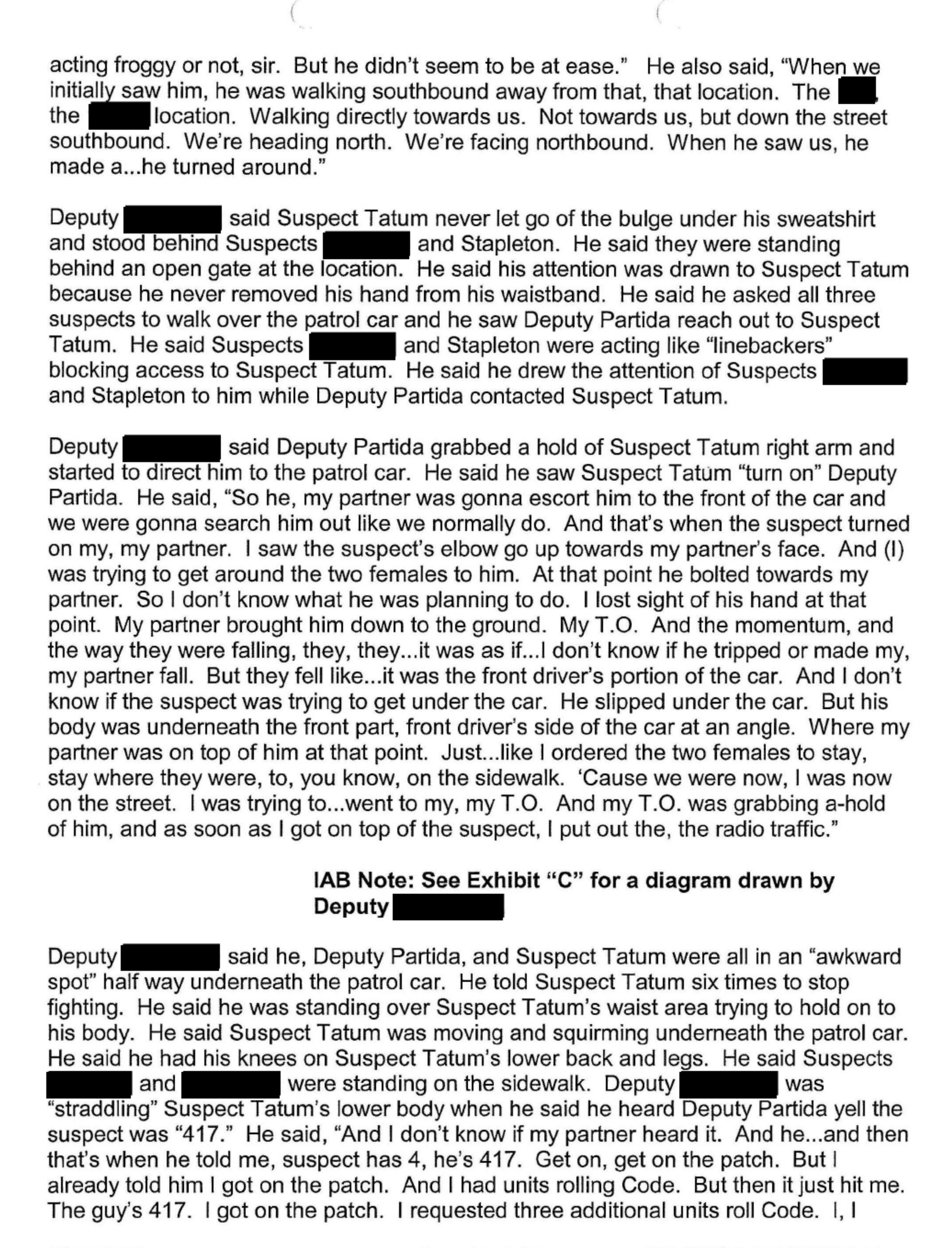
IAB Note: For further information, refer to Deputy Partida's IAB verbatim transcript.

IAB Note: See Exhibit "A" for the supplemental report authored by Deputy Partida.

[redacted] [redacted]

Deputy [redacted] was interviewed on Monday, September 08, 2008, at approximately 1650 hours by Internal Affairs Bureau Sergeants David Bly and Carlos Flores at Century Station. The interview was tape recorded. The following is a summary of that interview.

Deputy [redacted] said he was working unit 213A with his partner, Deputy Pablo Partida, when they were driving northbound on Avalon Blvd to a report on Alameda Blvd in the Firestone area. He said he was the bookman and they were slowing down for a red light at 104th Street, when he saw Suspect Tatum walking on the sidewalk southbound from [redacted] [redacted]. He said Suspect Tatum was wearing a black hooded sweatshirt, with his face down and the hood over his head and face. He said Suspect Tatum's right hand up inside his sweatshirt holding on to "some type of bulge." He said they made contact with Suspect Tatum, saying, "He was standing there with a black, from my position, he had a black sweater on with a hoodie over his head. And I noticed that he's holding...he had his right hand underneath the sweater in the front of his waistband, holding onto some type of bulge. At that time I looked over at my T.O. and he, he already knew and saw like the same thing. So he said, what's over there, we're gonna go and contact him. We stop the car. It was in front of [redacted] [redacted] Boulevard. We exit the car. My T.O. went to contact suspect Leavelle (Tatum). There were two...what had happened, he was walking southbound when we saw him on Avalon. And when we made eye contact, or at least when I thought we were making eye contact, he did a U-turn, an abrupt U-turn. Nothing, nothing nonchalant about it. And he, he went right back northbound for a second and went right into that location. And he stood behind two females. I don't know their names. We subsequently arrested them. My T.O. told me he was gonna go contact him. I came out and started talking to the two females as he was contacting the suspect. Didn't really notice if he's



acting froggy or not, sir. But he didn't seem to be at ease." He also said, "When we initially saw him, he was walking southbound away from that, that location. The [redacted], the [redacted] location. Walking directly towards us. Not towards us, but down the street southbound. We're heading north. We're facing northbound. When he saw us, he made a...he turned around."

Deputy [redacted] said Suspect Tatum never let go of the bulge under his sweatshirt and stood behind Suspects [redacted] and Stapleton. He said they were standing behind an open gate at the location. He said his attention was drawn to Suspect Tatum because he never removed his hand from his waistband. He said he asked all three suspects to walk over the patrol car and he saw Deputy Partida reach out to Suspect Tatum. He said Suspects [redacted] and Stapleton were acting like "linebackers" blocking access to Suspect Tatum. He said he drew the attention of Suspects [redacted] and Stapleton to him while Deputy Partida contacted Suspect Tatum.

Deputy [redacted] said Deputy Partida grabbed a hold of Suspect Tatum right arm and started to direct him to the patrol car. He said he saw Suspect Tatum "turn on" Deputy Partida. He said, "So he, my partner was gonna escort him to the front of the car and we were gonna search him out like we normally do. And that's when the suspect turned on my, my partner. I saw the suspect's elbow go up towards my partner's face. And (I) was trying to get around the two females to him. At that point he bolted towards my partner. So I don't know what he was planning to do. I lost sight of his hand at that point. My partner brought him down to the ground. My T.O. And the momentum, and the way they were falling, they, they...it was as if...I don't know if he tripped or made my, my partner fall. But they fell like...it was the front driver's portion of the car. And I don't know if the suspect was trying to get under the car. He slipped under the car. But his body was underneath the front part, front driver's side of the car at an angle. Where my partner was on top of him at that point. Just...like I ordered the two females to stay, stay where they were, to, you know, on the sidewalk. 'Cause we were now, I was now on the street. I was trying to...went to my, my T.O. And my T.O. was grabbing a-hold of him, and as soon as I got on top of the suspect, I put out the, the radio traffic."

IAB Note: See Exhibit "C" for a diagram drawn by Deputy [redacted]

Deputy [redacted] said he, Deputy Partida, and Suspect Tatum were all in an "awkward spot" half way underneath the patrol car. He told Suspect Tatum six times to stop fighting. He said he was standing over Suspect Tatum's waist area trying to hold on to his body. He said Suspect Tatum was moving and squirming underneath the patrol car. He said he had his knees on Suspect Tatum's lower back and legs. He said Suspects [redacted] and [redacted] were standing on the sidewalk. Deputy [redacted] was "straddling" Suspect Tatum's lower body when he said he heard Deputy Partida yell the suspect was "417." He said, "And I don't know if my partner heard it. And he...and then that's when he told me, suspect has 4, he's 417. Get on, get on the patch. But I already told him I got on the patch. And I had units rolling Code. But then it just hit me. The guy's 417. I got on the patch. I requested three additional units roll Code. I, I

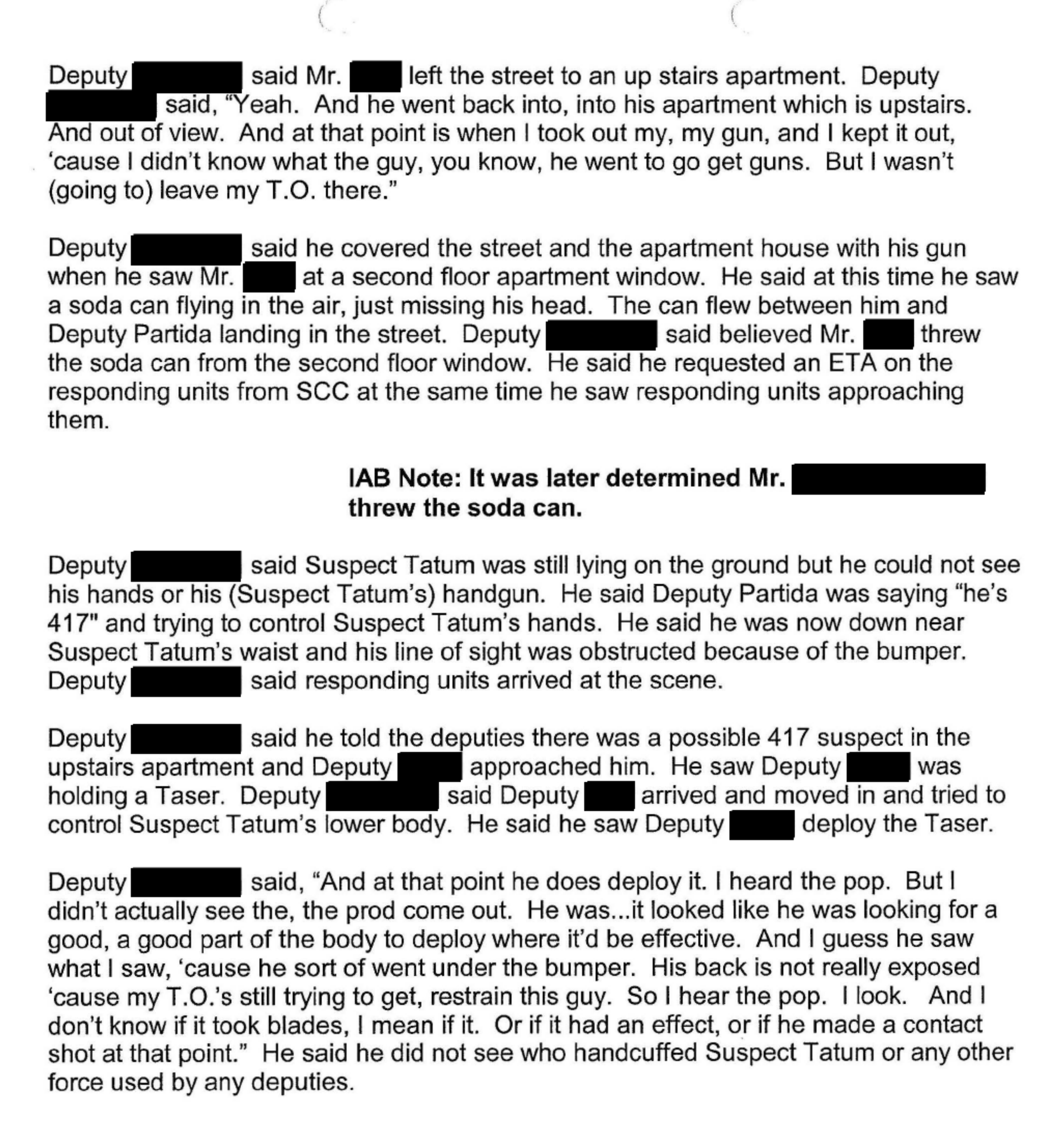
didn't hear anything. I didn't hear sirens. It didn't seem like...I guess it was just a matter of minutes. But it seemed like I was there for half an hour. So I was just more worried about getting units there. And what they had...what was making it worse was the, the female suspects started walking up behind me, and they were like cursing me out and, cursing us out. Saying that, oh, we're trying to...what are we doing to him."

Deputy [redacted] said Suspects [redacted] and Stapleton moved and were now standing directly be hind him. He said there were cussing at them, saying, "Get the fuck off him, you fucking asshole." He said, "And we were just going on. And then I turned around. They weren't on the sidewalk anymore. They were right behind me. And at that point, I yelled at them and said, you know, get the fuck back onto the sidewalk. And I kept on having to divert my attention back and forth. And then just...and it wasn't...them to lure me into anything. So every time I'd turn around, they'd back up a little bit. I'd turn, put my focus back on the suspect, try to help my partner. Next thing you know, I feel tugging on my back."

Deputy [redacted] said he felt a tug on his shirt collar. He said he turned around and saw Suspects [redacted] and Stapleton behind him. He retrieved his OC canister and told both suspects to "get the fuck back, I'm going to spray you." He said they did not move and he deployed OC at both suspects. Suspects [redacted] and Stapleton moved back on the sidewalk and he turned his attention back to Suspect Tatum.

Deputy [redacted] said, "From what I saw, it looked pretty bad between him and the suspect. The suspect was fidgeting around trying to hit my, my T.O. And I thought the OC took care of them ([redacted] ans Stapleton). Next thing, I turn around. Not only are they coming back, there's, there's additional people on the sidewalk mother fucking us. And it was a male, male in a black, a black hood, a black shirt, black pants. He started coming up. First thing, I have to draw my attention to him. He has something black in his hand. And I don't know if it was a gun or what. I think it was a cell phone. Then the, at the time it was beeping. Then more people collected around. Because roughly, there was about, it was a hostile crowd, about two, three, at least five, six people."

Deputy [redacted] said the male [redacted] with the cell phone approached him and he drew his weapon. He said, " I told him, get the fuck back. Let me see your hands. And at that point, that's when he started going, get the fuck off of him. And he started flashing the, the camera, his cell phone. Thinking, you know...every time I...it's like a diversion. Me going, the suspect, the actual, us trying to get, you know, get this guy restrained. And bringing my attention back, you know, to possible more 417 suspects behind me. See more people around me on the, on my right hand side. And I kept on ordering them back. The females, they didn't go. They didn't leave initially. They started coming back at me. And I guess when the OC kicked in, one of them went back. I don't know where she went. But one of them did go back. But then I had the problem of the other male coming around, because I'm on the front end." He said when he saw Mr. [redacted] was holding a cell phone he holstered his weapon. He said Mr. [redacted] was moving around them and he was ordering Mr. [redacted] to stay back. He said Mr. [redacted] was behind him and he heard Mr. [redacted] tell Suspect Tatum he was going to "get his shit."



Deputy [redacted] said Mr. [redacted] left the street to an up stairs apartment. Deputy [redacted] said, "Yeah. And he went back into, into his apartment which is upstairs. And out of view. And at that point is when I took out my, my gun, and I kept it out, 'cause I didn't know what the guy, you know, he went to go get guns. But I wasn't (going to) leave my T.O. there."

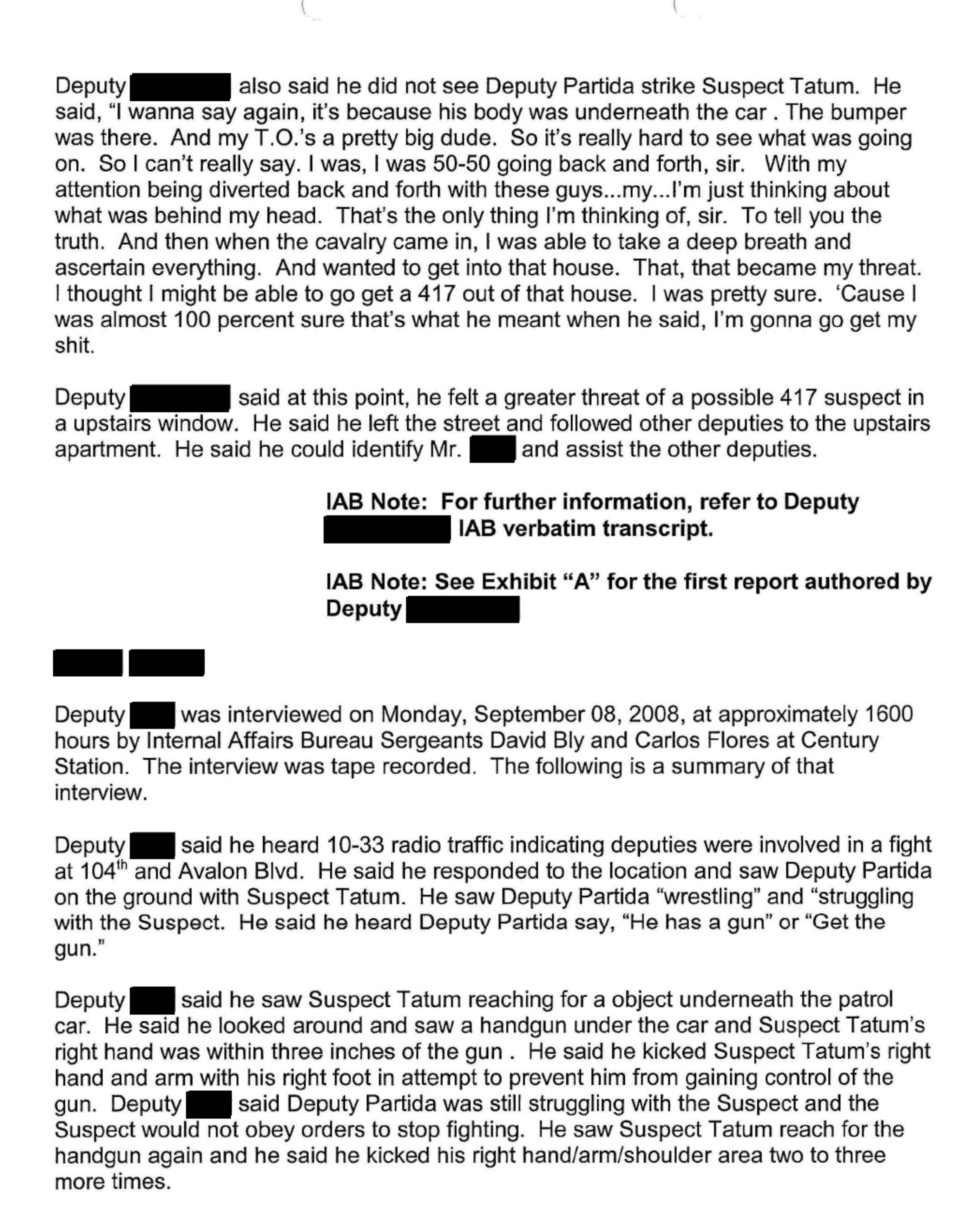
Deputy [redacted] said he covered the street and the apartment house with his gun when he saw Mr. [redacted] at a second floor apartment window. He said at this time he saw a soda can flying in the air, just missing his head. The can flew between him and Deputy Partida landing in the street. Deputy [redacted] said believed Mr. [redacted] threw the soda can from the second floor window. He said he requested an ETA on the responding units from SCC at the same time he saw responding units approaching them.

IAB Note: It was later determined Mr. [redacted] threw the soda can.

Deputy [redacted] said Suspect Tatum was still lying on the ground but he could not see his hands or his (Suspect Tatum's) handgun. He said Deputy Partida was saying "he's 417" and trying to control Suspect Tatum's hands. He said he was now down near Suspect Tatum's waist and his line of sight was obstructed because of the bumper. Deputy [redacted] said responding units arrived at the scene.

Deputy [redacted] said he told the deputies there was a possible 417 suspect in the upstairs apartment and Deputy [redacted] approached him. He saw Deputy [redacted] was holding a Taser. Deputy [redacted] said Deputy [redacted] arrived and moved in and tried to control Suspect Tatum's lower body. He said he saw Deputy [redacted] deploy the Taser.

Deputy [redacted] said, "And at that point he does deploy it. I heard the pop. But I didn't actually see the, the prod come out. He was...it looked like he was looking for a good, a good part of the body to deploy where it'd be effective. And I guess he saw what I saw, 'cause he sort of went under the bumper. His back is not really exposed 'cause my T.O.'s still trying to get, restrain this guy. So I hear the pop. I look. And I don't know if it took blades, I mean if it. Or if it had an effect, or if he made a contact shot at that point." He said he did not see who handcuffed Suspect Tatum or any other force used by any deputies.



Deputy [redacted] also said he did not see Deputy Partida strike Suspect Tatum. He said, "I wanna say again, it's because his body was underneath the car . The bumper was there. And my T.O.'s a pretty big dude. So it's really hard to see what was going on. So I can't really say. I was, I was 50-50 going back and forth, sir. With my attention being diverted back and forth with these guys...my...I'm just thinking about what was behind my head. That's the only thing I'm thinking of, sir. To tell you the truth. And then when the cavalry came in, I was able to take a deep breath and ascertain everything. And wanted to get into that house. That, that became my threat. I thought I might be able to go get a 417 out of that house. I was pretty sure. 'Cause I was almost 100 percent sure that's what he meant when he said, I'm gonna go get my shit.

Deputy [redacted] said at this point, he felt a greater threat of a possible 417 suspect in a upstairs window. He said he left the street and followed other deputies to the upstairs apartment. He said he could identify Mr. [redacted] and assist the other deputies.

IAB Note: For further information, refer to Deputy [redacted] IAB verbatim transcript.

IAB Note: See Exhibit "A" for the first report authored by Deputy [redacted]

[redacted] [redacted]

Deputy [redacted] was interviewed on Monday, September 08, 2008, at approximately 1600 hours by Internal Affairs Bureau Sergeants David Bly and Carlos Flores at Century Station. The interview was tape recorded. The following is a summary of that interview.

Deputy [redacted] said he heard 10-33 radio traffic indicating deputies were involved in a fight at 104th and Avalon Blvd. He said he responded to the location and saw Deputy Partida on the ground with Suspect Tatum. He saw Deputy Partida "wrestling" and "struggling with the Suspect. He said he heard Deputy Partida say, "He has a gun" or "Get the gun."

Deputy [redacted] said he saw Suspect Tatum reaching for a object underneath the patrol car. He said he looked around and saw a handgun under the car and Suspect Tatum's right hand was within three inches of the gun . He said he kicked Suspect Tatum's right hand and arm with his right foot in attempt to prevent him from gaining control of the gun. Deputy [redacted] said Deputy Partida was still struggling with the Suspect and the Suspect would not obey orders to stop fighting. He saw Suspect Tatum reach for the handgun again and he said he kicked his right hand/arm/shoulder area two to three more times.

Deputy [redacted] said Deputy Partida gained control of Suspect Tatum's right hand, but the suspect continued to struggle. Deputy [redacted] said he recovered the handgun from under the patrol car. He said the gun was a semi-auto .380 loaded with three rounds. He said he heard Sergeant Serpa direct the use of the Taser. He said he saw and heard Deputy [redacted] deploy the Taser, shooting the probes in the suspect's upper body. He said the Taser had no little or no effect and the Suspect continued to struggle. Deputy [redacted] saw Deputy [redacted] apply three Taser contact shots on the Suspect and he believed the contact shots effected the Suspect. He said they were able to control the Suspect and he handcuffed him without further incident. Deputy [redacted] said he did not see Deputy Partida hit or kick Suspect Tatum.

Deputy [redacted] said Suspect Tatum was treated by paramedics at the scene and prepared for transportation to hospital. He said he hobbled Suspect Tatum's feet to the supine board to prevent him from kicking at anyone.

IAB Note: For further information, refer to Deputy [redacted] IAB verbatim transcript.

IAB Note: See Exhibit "A" for a supplemental report authored by Deputy [redacted]

[redacted]

Deputy [redacted] was interviewed on Monday, September 08, 2008, at approximately 1538 hours by Internal Affairs Bureau Sergeants David Bly and Carlos Flores at Century Station. The interview was tape recorded. The following is a summary of that interview.

Deputy [redacted] said he and his partner, Deputy Juan Willis, were at Century Station preparing for their shift when he heard emergency radio traffic, deputies were in a fight at Avalon at 104th. He said they responded to that location and it took approximately five minutes to get there. He said they were the first unit to arrive and retrieved his Taser as he exited the patrol car.

Deputy [redacted] said he saw people on the sidewalk yelling and screaming. He saw Deputies Partida and [redacted] struggling with Suspect Tatum and trying to control his upper body. The Suspect's body was halfway underneath the patrol car with his head near the driver side front tire and he heard Deputy Partida say,"He's trying to get the gun." He said he saw the suspect was bleeding from his nose, but he did not see any deputies strike the suspect. He said, "They weren't throwing blows. It looked more like they were trying to keep him against the ground from getting the gun."

Deputy [redacted] said he approached Suspect Tatum's legs and tried to control them. He saw deputies trying to control and handcuff Suspect Tatum. He said the suspect continued to fight and struggle when he heard Sergeant Serpa order, "Tase him."

Deputy [redacted] said he deployed the Taser. He said the darts struck Suspect Tatum's chest/stomach and he cycled the Taser. He said the Taser had no effect. He said the Suspect continued to fight and struggle, rolling over on his stomach. Deputy [redacted] said he did not see "the gun" and did not know where it was.

Deputy [redacted] said he deployed contact shots with the Taser. He said he placed the Taser on the Suspect's buttock and activated it with little or no effect. Deputy [redacted] said he then placed the Taser on the Suspect's right thigh and activated it, again with no effect. Lastly, Deputy [redacted] said he placed the Taser on the Suspect's left calf and activated it. He said the Suspect yelped and screamed, and the Taser had an effect on the Suspect. He said he removed his handcuffs from it's case and another unknown deputy handcuffed the Suspect. He said he saw Deputy [redacted] continue to hold down the Suspect's upper body down and he held down his legs until paramedics arrived.

Deputy [redacted] said he asked Sergeant Serpa, and gave him permission, to hobble the suspect to the backboard. He said he asked a group of deputies if anyone had a hobble and someone said "yes." Deputy [redacted] said he does not know who deployed the hobbled, but a few minutes later he saw the Suspect was hobbled to the backboard.

Deputy [redacted] said he later saw the probes from the Taser only penetrated an outer sweatshirt the Suspect was wearing. He also saw the suspect was wearing two shirts under the sweatshirt.

IAB Note: For further information, refer to Deputy [redacted] IAB verbatim transcript.

IAB Note: See Exhibit "A" for a supplemental report authored by Deputy [redacted]

WITNESSES STATEMENTS

Sworn Witnesses

SERPA, Jeffery

Sergeant Serpa was interviewed on Monday, September 08, 2008, at approximately 1352 hours by Internal Affairs Bureau Sergeants David Bly and Carlos Flores at Century Station. The interview was tape recorded. The following is a summary of that interview.

Sergeant Serpa said he was working as a field sergeant when he heard over the radio unit 213A (Deputies Partida and [redacted] were involved in a fight at Avalon and 104th. He said he responded Code-3 to that location. He said he arrived at the location with three other units and he saw Deputy Partida on the ground struggling with Suspect Tatum. He said they were on the ground in front of Deputy Partida's patrol car. Deputy Partida was on top of the suspect trying to control his hands from reaching out in front of him.

Sergeant Serpa said he saw there were some people watching the incident. He said as the incident unfolded, a large crowd developed around the scene.

As Sergeant Serpa approached them and Deputy Partida told him, "he's strapped." He said that indicated Suspect Tatum was armed with a handgun. He saw Suspect Tatum reaching under the patrol car for a handgun and he saw Deputy [redacted] kick Suspect Tatum's hand and shoulder to stop him from reaching for the gun.

While Deputy [redacted] was kicking the Suspect, Sergeant Serpa said he heard Deputy Partida ordering the suspect to stop fighting and place his hands behind his back. He said the suspect continued to struggle and he ordered Deputy [redacted] to Tase Suspect Tatum. He said he saw Deputy [redacted] deploy the Taser which had no effect on the Suspect. He said the Suspect was wearing a thick shirt. He saw Deputy [redacted] dislodge the dart cartridge from the Taser and deploy two contacts shots to the Suspect. He said one contact shot was on the Suspect's thigh and the other was on his calf. The Suspect then stopped resisting and Deputies then took him into custody without further incident. He saw Deputy [redacted] handcuff the Suspect. He said Deputy [redacted] recover a handgun from underneath Deputy Partida's patrol car.

Sergeant Serpa said the suspect was "still struggling a little bit" when he was being prepared for transportation to the hospital. He said he directed Deputy [redacted] to place the Hobble restraint on the Suspect's ankles and it was secured to the backboard.

Sergeant Serpa said Deputy [redacted] told him he deployed OC spray on two females (Suspects Stapleton and [redacted] prior to his arrival. The females were to his back and within a foot of him. The females were yelling at them to leave the Suspect alone as Deputy [redacted] was attempting to help Deputy Partida. He said Deputy [redacted] told him he was concerned the females would assault them, so he deployed OC spray in their direction. Sergeant Serpa said he was not sure if one of the females touched Deputy [redacted] or not.

Willis, Juan

Deputy Willis was interviewed on Monday, September 08, 2008, at approximately 1610 hours by Internal Affairs Bureau Sergeants David Bly and Carlos Flores at Century Station. The interview was tape recorded. The following is a summary of that interview.

Deputy Willis said he is in patrol training and he and his partner, Deputy [redacted] were at the Station preparing for their shift. He said they were seated in their patrol car when he heard over the radio deputies were involved in a fight at Avalon and 104th. They responded to the location and he said Deputy [redacted] exited the vehicle. He said he saw deputies on the ground near a patrol car which was on the east side of Avalon Blvd. He saw Deputy [redacted] approach the deputies and he said he followed him. He said he saw Deputy [redacted] trying to control the Suspect's legs and three to four other deputies around the suspect. He said there was no room for him to assist in controlling the Suspect, so turned his attention to controlling the crowd.

Deputy Willis said he did not see any deputies use force on the suspect and he did not see OC spray or the Taser deployed.

IAB Note: For further information, refer to Deputy Willis' IAB verbatim transcript.

Civilian Witnesses

[redacted]

Mr. [redacted] was interviewed on Monday, September 08, 2008, at approximately 1658 hours by Internal Affairs Bureau Sergeants David Bly and Carlos Flores at Century Station. The interview was tape recorded. The following is a summary of that interview.

Mr. [redacted] said he was in his second story apartment when he heard a commotion coming from the street (Avalon Blvd) below him. He said he looked out from his window saw "Black" (Suspect Tatum) on the ground. He saw two deputies on top of the Suspect, holding him down. He said he also saw [redacted] (Suspect Stapleton) and [redacted] (Suspect [redacted] on the street below. Mr. [redacted] said he exited his apartment to Avalon Blvd to calm Suspect [redacted] down. He said he did not have anything in his hands and he never approached the deputies. Mr. [redacted] said he did get approximately four feet from the deputies to hold back Suspect [redacted] because "she stepped off at the police officer" and "she might make things worse."

Mr. [redacted] said he saw the two Deputies on top of Suspect Tatum and they were yelling at him "not to move" and to quit fighting. He saw one deputy holding OC spray and his handgun, (Deputy [redacted] with his knee on the Suspect's knee and he saw the other deputy (Deputy Partida) on top of the Suspect near his neck and shoulders. Mr. [redacted] said the deputies were ordering the Suspect to stop fighting for a "couple of minutes." He said he never saw Suspect Tatum "resisting" the deputies and he told them the Suspect had a "bad spinal cord."

IAB Note: See Mr. [redacted] IAB verbatim transcript

where he first stated several times he saw deputies hitting Suspect Tatum. But, when asked for further details, he admitted he did not see the deputies strike the Suspect.

Mr. [redacted] said he saw Suspect Tatum's face was bloody and he said he assumed deputies had hit him. Mr. [redacted] said he never saw any deputies hit Suspect Tatum. He only saw two deputies on top of the Suspect, telling him not to move. Mr. [redacted] said he did not hear anyone talking about a "gun" and he did not see a gun. He said Deputy [redacted] sprayed " him and everybody" with OC. Mr. [redacted] denied he threw a soda can, stating he saw Suspect [redacted] throw the soda can at the deputies.

See Exhibit "A" for the first report where Deputy [redacted] wrote he saw Mr. [redacted] throw a soda can at them. Mr. [redacted] was arrested and booked for 245(a)(1) P.C.

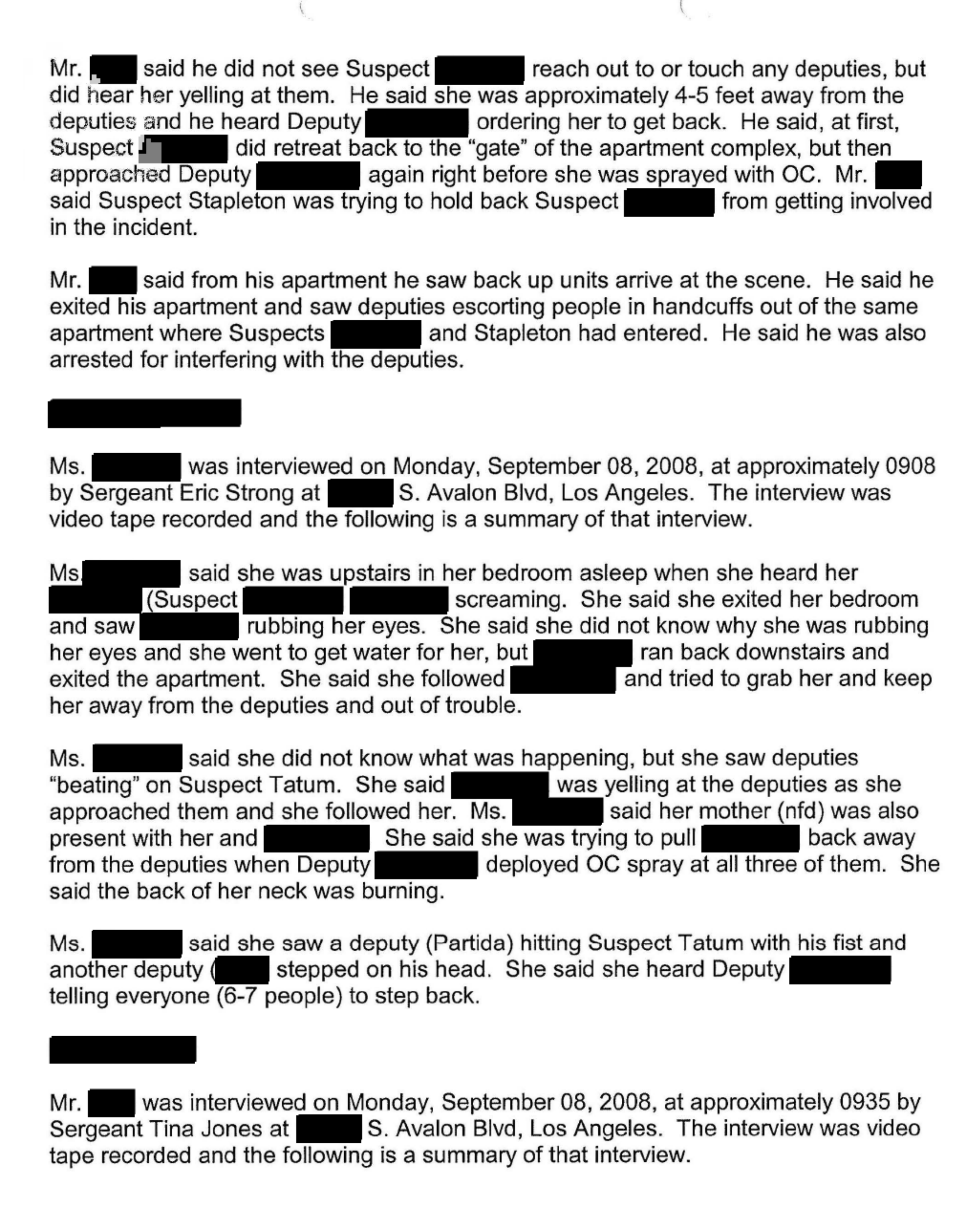
[redacted]

Mr. [redacted] was interviewed on Monday, September 08, 2008, at approximately 1710 hours by Internal Affairs Bureau Sergeants David Bly and Carlos Flores at Century Station. The interview was tape recorded. The following is a summary of that interview.

Mr[redacted] said he was inside his apartment when he heard a commotion coming from Avalon Blvd. He said he exited his house and saw Suspects [redacted] and Stapleton "screaming" at Deputies (Partida and [redacted] He said Suspect Tatum was hands down (face down) on the ground. He said the Deputies had Suspect Tatum "pinned down" on the ground. He heard Suspects [redacted] and Stapleton yelling "get off of him, he's not resisting arrest, he's not doing nothing."

Mr. [redacted] said deputies continued to hold Suspect Tatum on the ground, holding his hands down on the ground. He said Suspect Tatum could not move and he saw he was bleeding from his face. He said he heard Deputy [redacted] order Suspects [redacted] and Stapleton to "get back, get back, get back" and he saw Deputy [redacted] deploy OC, spraying Suspect [redacted] in her face. He said he was not sure if Suspect Stapleton was effected from the OC. He said Deputy [redacted] drew his handgun and he heard him request backup. Mr. [redacted] said he saw Suspect Stapleton escort Suspect [redacted] to an upstairs apartment ([redacted]) to wash her face. He said he took pictures of the scene, deputies, and Suspect Tatum with his cell phone. Mr. [redacted] said he never saw any deputies hitting the Suspect. He said he did see a soda can thrown in the direction of the deputies, but did not see who threw it. He then left the scene and walked to his apartment at [redacted].

Mr. [redacted] said he did not see Suspect [redacted] reach out to or touch any deputies, but



Mr. [redacted] said he did not see Suspect [redacted] reach out to or touch any deputies, but did hear her yelling at them. He said she was approximately 4-5 feet away from the deputies and he heard Deputy [redacted] ordering her to get back. He said, at first, Suspect [redacted] did retreat back to the "gate" of the apartment complex, but then approached Deputy [redacted] again right before she was sprayed with OC. Mr. [redacted] said Suspect Stapleton was trying to hold back Suspect [redacted] from getting involved in the incident.

Mr. [redacted] said from his apartment he saw back up units arrive at the scene. He said he exited his apartment and saw deputies escorting people in handcuffs out of the same apartment where Suspects [redacted] and Stapleton had entered. He said he was also arrested for interfering with the deputies.

[redacted]

Ms. [redacted] was interviewed on Monday, September 08, 2008, at approximately 0908 by Sergeant Eric Strong at [redacted] S. Avalon Blvd, Los Angeles. The interview was video tape recorded and the following is a summary of that interview.

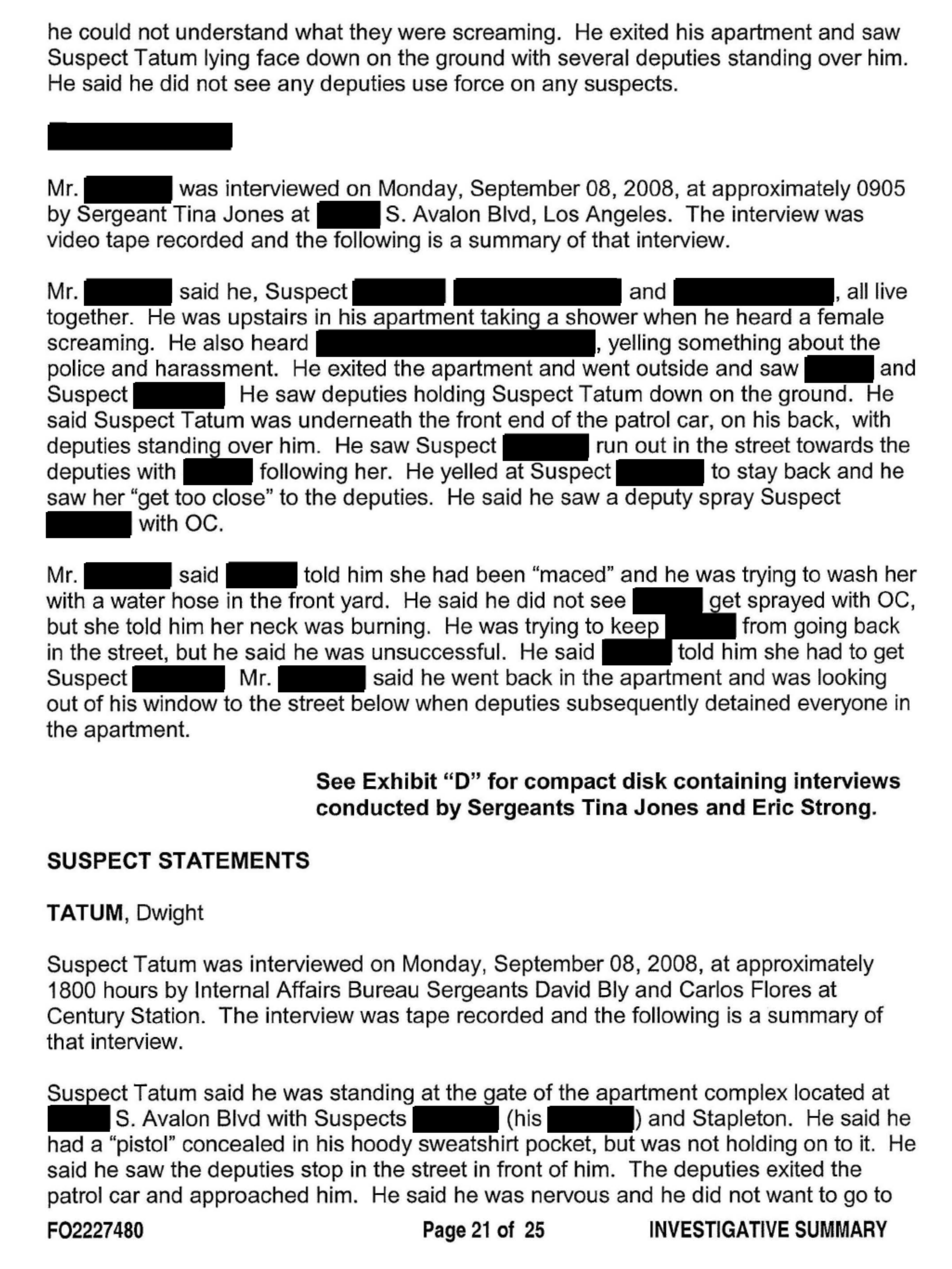
Ms [redacted] said she was upstairs in her bedroom asleep when she heard her [redacted] (Suspect [redacted] [redacted] screaming. She said she exited her bedroom and saw [redacted] rubbing her eyes. She said she did not know why she was rubbing her eyes and she went to get water for her, but [redacted] ran back downstairs and exited the apartment. She said she followed [redacted] and tried to grab her and keep her away from the deputies and out of trouble.

Ms. [redacted] said she did not know what was happening, but she saw deputies "beating" on Suspect Tatum. She said [redacted] was yelling at the deputies as she approached them and she followed her. Ms. [redacted] said her mother (nfd) was also present with her and [redacted] She said she was trying to pull [redacted] back away from the deputies when Deputy [redacted] deployed OC spray at all three of them. She said the back of her neck was burning.

Ms. [redacted] said she saw a deputy (Partida) hitting Suspect Tatum with his fist and another deputy ([redacted] stepped on his head. She said she heard Deputy [redacted] telling everyone (6-7 people) to step back.

[redacted]

Mr. [redacted] was interviewed on Monday, September 08, 2008, at approximately 0935 by Sergeant Tina Jones at [redacted] S. Avalon Blvd, Los Angeles. The interview was video tape recorded and the following is a summary of that interview.



he could not understand what they were screaming. He exited his apartment and saw Suspect Tatum lying face down on the ground with several deputies standing over him. He said he did not see any deputies use force on any suspects.

[redacted]

Mr. [redacted] was interviewed on Monday, September 08, 2008, at approximately 0905 by Sergeant Tina Jones at [redacted] S. Avalon Blvd, Los Angeles. The interview was video tape recorded and the following is a summary of that interview.

Mr. [redacted] said he, Suspect [redacted] [redacted] and [redacted], all live together. He was upstairs in his apartment taking a shower when he heard a female screaming. He also heard [redacted], yelling something about the police and harassment. He exited the apartment and went outside and saw [redacted] and Suspect [redacted] He saw deputies holding Suspect Tatum down on the ground. He said Suspect Tatum was underneath the front end of the patrol car, on his back, with deputies standing over him. He saw Suspect [redacted] run out in the street towards the deputies with [redacted] following her. He yelled at Suspect [redacted] to stay back and he saw her "get too close" to the deputies. He said he saw a deputy spray Suspect [redacted] with OC.

Mr. [redacted] said [redacted] told him she had been "maced" and he was trying to wash her with a water hose in the front yard. He said he did not see [redacted] get sprayed with OC, but she told him her neck was burning. He was trying to keep [redacted] from going back in the street, but he said he was unsuccessful. He said [redacted] told him she had to get Suspect [redacted] Mr. [redacted] said he went back in the apartment and was looking out of his window to the street below when deputies subsequently detained everyone in the apartment.

See Exhibit "D" for compact disk containing interviews conducted by Sergeants Tina Jones and Eric Strong.

SUSPECT STATEMENTS

TATUM, Dwight

Suspect Tatum was interviewed on Monday, September 08, 2008, at approximately 1800 hours by Internal Affairs Bureau Sergeants David Bly and Carlos Flores at Century Station. The interview was tape recorded and the following is a summary of that interview.

Suspect Tatum said he was standing at the gate of the apartment complex located at [redacted] S. Avalon Blvd with Suspects [redacted] (his [redacted]) and Stapleton. He said he had a "pistol" concealed in his hoody sweatshirt pocket, but was not holding on to it. He said he saw the deputies stop in the street in front of him. The deputies exited the patrol car and approached him. He said he was nervous and he did not want to go to

jail. He said a deputy said "come here" and reached out for him. He took a step back and said to the deputies, "why you grabbing me out of the yard."

Suspect Tatum said he never walked out passed the gate, but they ended up in front of the patrol car where he was tackled to the ground and his handgun flew underneath the patrol car. He said both he and the deputy saw the gun fell to the ground. He said he was first on his back and a deputy told him to turn face down on the ground, which he complied. He said he was not resisting the deputies and his hands were above his head, but he did "stiffen" his body and arms. He said he was not fighting back and he was not trying to reach out for the gun. He said the deputy was doing his job "trying to keep my hand away from it" (the gun) which was 12 inches away from his left hand. He said he could have reached the gun with his hand, but he was not trying to grab it. He said his head was near the front tire and his hands were above his head. Suspect Tatum said the deputy on top of him was punching him in the face and he was bleeding from his nose and eyes. He said he heard someone yell "pepper spray" but he did not get sprayed. He said he heard Suspect [redacted] saying, "Why you all doing him like that." He said he heard other people yelling, but could not understand it.

Suspect Tatum said he was trying to comply with the deputy's order, but his hands were pinned down and he could not move. He said other deputies arrived at the scene and he told them he was not resisting. He said he "I'm trying to stop" and he told them he could not breathe. He said a deputy kicked him all over his head and he was Tased "hard" on his legs. He said he did not feel the first activation of the taser, but felt it when he was tased on his legs.

Suspect Tatum signed a medical record waiver form so investigators could obtain his medical records and document his injuries. Suspect Tatum said he has a prior spinal injury from 2001. He said he was spinning through the air, twisting his body, and he landed on his head. He said when he is pain, his body will stiffen.

IAB Note: See Exhibit "B" for a Suspect Tatum's signed medical records waiver form and a copy of his medical records. His medical records were obtained from UCLA Harbor General Hospital on 10/17/08 by Sergeant David Bly.

Suspect Tatum said he use to belong to a "clique" called the "East Side Hustlers." He said they are now associated with the Crips, but they were not Crips when he associated with them.

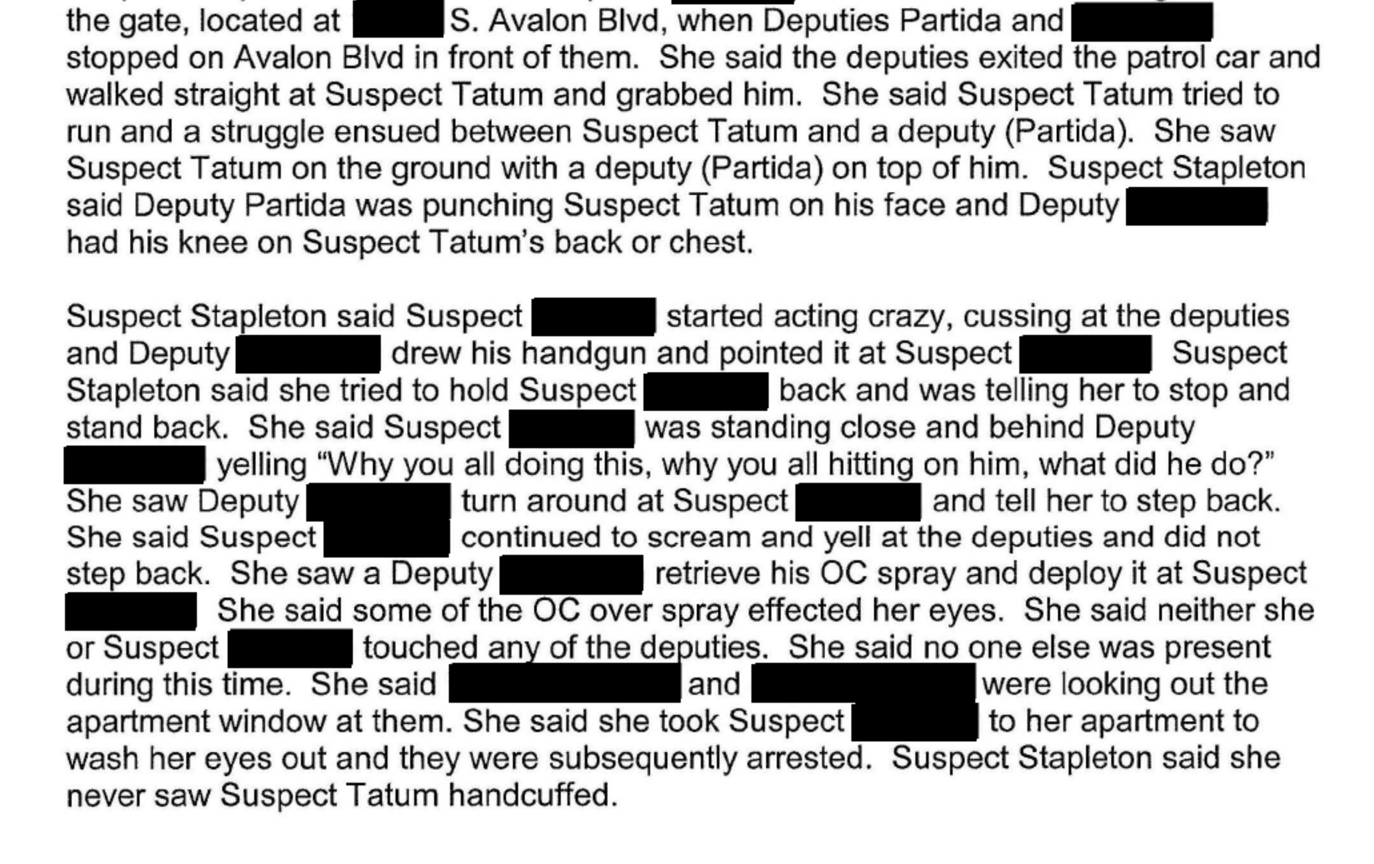
Suspect Tatum said he found the gun the prior night and he was going to sell it. He said he is currently on probation [redacted].

IAB Note: I (Sergeant David Bly) ran Suspect Tatum in the

IAB Note: I (Sergeant David Bly) ran Suspect Tatum in the Cal-Gangs data base and discovered Suspect Tatum is listed as a primary member of the "Eastside Hustler Player" Crip gang with the moniker of "Black." His purge date is November 14, 2011. The gangs turf includes the location where the force incident occurred as documented in Cal-Gangs by a photograph of the gang's graffiti taken at 104th and Avalon Blvd.

STAPLETON, Deanne

Suspect Stapleton was interviewed on Monday, September 08, 2008, at approximately 1646 hours by Internal Affairs Bureau Sergeants David Bly and Carlos Flores at Century Station and the interview was tape recorded. Suspect Stapleton was also interviewed on Monday, September 08, 2008 at approximately 0900 hours, at the scene by Sergeant Tina Jones and was recorded on video tape. The following is a summary of both interviews.



Suspect Stapleton said she and Suspects [redacted] and Tatum were standing outside the gate, located at [redacted] S. Avalon Blvd, when Deputies Partida and [redacted] stopped on Avalon Blvd in front of them. She said the deputies exited the patrol car and walked straight at Suspect Tatum and grabbed him. She said Suspect Tatum tried to run and a struggle ensued between Suspect Tatum and a deputy (Partida). She saw Suspect Tatum on the ground with a deputy (Partida) on top of him. Suspect Stapleton said Deputy Partida was punching Suspect Tatum on his face and Deputy [redacted] had his knee on Suspect Tatum's back or chest.

Suspect Stapleton said Suspect [redacted] started acting crazy, cussing at the deputies and Deputy [redacted] drew his handgun and pointed it at Suspect [redacted] Suspect Stapleton said she tried to hold Suspect [redacted] back and was telling her to stop and stand back. She said Suspect [redacted] was standing close and behind Deputy [redacted] yelling "Why you all doing this, why you all hitting on him, what did he do?" She saw Deputy [redacted] turn around at Suspect [redacted] and tell her to step back. She said Suspect [redacted] continued to scream and yell at the deputies and did not step back. She saw a Deputy [redacted] retrieve his OC spray and deploy it at Suspect [redacted] She said some of the OC over spray effected her eyes. She said neither she or Suspect [redacted] touched any of the deputies. She said no one else was present during this time. She said [redacted] and [redacted] were looking out the apartment window at them. She said she took Suspect [redacted] to her apartment to wash her eyes out and they were subsequently arrested. Suspect Stapleton said she never saw Suspect Tatum handcuffed.

[redacted]

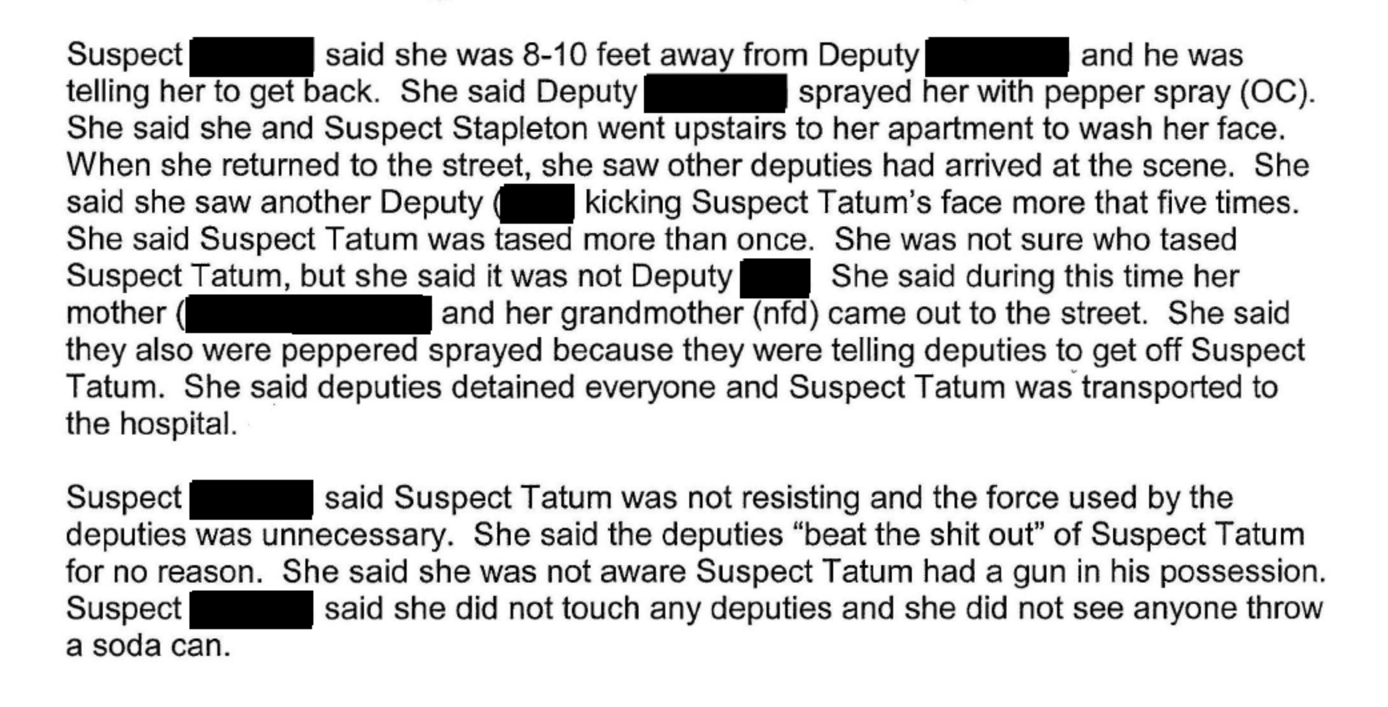
Suspect [redacted] was interviewed on Monday, September 09, 2008, at approximately 1135 hours by Internal Affairs Bureau Sergeant David Bly at Los Padrinos Juvenile Facility and the interview was tape recorded. Suspect [redacted] was also interviewed on Monday, September 08, 2008, at approximately 0845 hours at the scene by Sergeant Eric strong and was recorded on video tape. The following is a summary of both interviews.

IAB Note: During the field interview with Sgt. Strong Suspect [redacted] stated her name was "[redacted] with a DOB of [redacted]. See Exhibit "D" for the taped interview on DVD.

Suspect [redacted] said she and Suspects Stapleton and Tatum were standing in front of her house, located at [redacted] S. Avalon Blvd. She said she and Suspect Stapleton were standing outside of the gate and Suspect Tatum was standing inside the gate when Deputies Partida and [redacted] stopped on Avalon Blvd in front of them. She said the deputies exited the patrol car and walked straight at Suspect Tatum. Deputies pushed her out of their way and grabbed Suspect Tatum. Suspect Tatum put his hands up and said "What, what did I do, what you all doing." She said Suspect Tatum willingly walked to the patrol car when he turned around at the deputies. She said a struggle ensued between Suspect Tatum and a deputies. She saw the deputies throw Suspect Tatum on the ground, landing on his back. Suspect [redacted] said Deputy Partida was on Suspect Tatum's neck/chest and Deputy [redacted] had his knee on Suspect Tatum's hip. She said she heard the deputies say, "stop resisting, stop resisting" and they were trying to hold him down. She said she did not see Deputy Partida or [redacted] hit or kick Suspect Tatum.

Suspect [redacted] said deputies were telling her to stand back, but she said, "Naw, I'm trying to tell them he has a spine injury." She said she kept telling the deputies "to get off of him, he has spinal injuries." Suspect [redacted] said deputies told her to get back several times and she said she retreated back onto the curb, however she continued to yell at the deputies. She said Suspect Stapleton was holding her back and telling her to calm down. She heard deputies call for backup.

IAB Note: See Exhibit "E" for pictures of the scene. Deputies Partida and [redacted] patrol car was parked almost next to the curb and the struggle with Suspect Tatum took place in front of the patrol car. Taking in account where Suspect Tatum and the deputies were located and Suspect [redacted] stating she moved back up on the curb, she would have to of been very close to Deputy [redacted] when he was telling her to step back.



Suspect [redacted] said she was 8-10 feet away from Deputy [redacted] and he was telling her to get back. She said Deputy [redacted] sprayed her with pepper spray (OC). She said she and Suspect Stapleton went upstairs to her apartment to wash her face. When she returned to the street, she saw other deputies had arrived at the scene. She said she saw another Deputy ([redacted] kicking Suspect Tatum's face more that five times. She said Suspect Tatum was tased more than once. She was not sure who tased Suspect Tatum, but she said it was not Deputy [redacted] She said during this time her mother ([redacted] and her grandmother (nfd) came out to the street. She said they also were peppered sprayed because they were telling deputies to get off Suspect Tatum. She said deputies detained everyone and Suspect Tatum was transported to the hospital.

Suspect [redacted] said Suspect Tatum was not resisting and the force used by the deputies was unnecessary. She said the deputies "beat the shit out" of Suspect Tatum for no reason. She said she was not aware Suspect Tatum had a gun in his possession. Suspect [redacted] said she did not touch any deputies and she did not see anyone throw a soda can.